

has ever conducted. Last Friday, Secretary of the Air Force Michael Wynne said:

Today's announcement is the culmination of years of tireless work and attention to detail by our Acquisition professionals and source selection team, who have been committed to maintaining integrity, providing transparency, and promoting a fair competition for this critical aircraft program.

The Air Force advises us that 25,000 American workers at 230 U.S. companies located in 49 States will support the assembly of these aircraft. The winning proposal was submitted by the team led by Northrup Grumman and includes EADS North America and General Electric Aviation. It was judged to provide the best value for the U.S. Air Force and for the U.S. taxpayer. General Litch said the winning proposal gives the military more passengers, more cargo, more fuel to offload, more availability, more flexibility, and more dependability.

I am pleased to congratulate the winners of the competition, and I look forward to the day when this new aircraft joins the fleet.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. PRYOR. I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONSUMER PRODUCT SAFETY COMMISSION REFORM ACT

Mr. NELSON of Florida. Mr. President, I wish to speak as to why the Consumer Product Safety Commission Reform Act is so desperately needed.

Most parents, and consumers for that matter, will not forget in the past—and it was as recent as this past summer—the huge amount of toy recalls. There were children's jewelry and toys that were covered in lead paint. There were toys with detachable magnets that can cause fatal intestinal obstructions. There were stuffed animals with small parts that can detach and become a

choking hazard. There was a children's craft kit containing beads that when swallowed became ingested into the child's digestive system; and what came out of those beads was the same chemical compound, believe it or not, as GHB, which is the date rape drug.

The Laugh & Learn Bunny became a choking hazard. This magnetized building set, as shown on this chart—over 4 million units were sold—those magnets became ingested into the child's digestive track. Thomas the Train, over 1.5 million units were sold, and lo and behold those were painted with lead paint. And then the Barbie accessories—675,000 units of those were sold—had lead paint. And there were other toys. In fact, one of them was some kind of little doll where the nose came off. It was exactly the size that could get into a child's windpipe and cause them to choke to death.

As a matter of fact, one of the children's hospitals in Florida I visited about this very thing gave me a plastic thimble of about the size they said they hand out to the children's parents because they want them to see the size of anything that could detach—if it did from a toy—that is a choking hazard for a child.

So in visiting with this team of emergency room doctors, they showed all these things in real life to me and told me about the invasive surgery that then they had to do on children that was traumatic for a child who is 4 or 5 years old.

Then, I had the very sad duty to visit with a momma and a daddy in Jacksonville, who left two of their children in a room with a disco ball toy. What happened? It became overheated because it was illuminated. It became overheated. It caught fire, and it emitted enough carbon monoxide to kill both the children.

Now, these incidents simply should not be happening. Yet with this bill Senator PRYOR is managing on the floor, we can better ensure American parents do not have to face another summer of recalls.

So this act is going to do a number of things. It would increase the number of professional staff who work at the Consumer Product Safety Commission. It would ensure consumer access to information about these products. It would eliminate lead from children's products. It increases civil penalties for wrongdoers. And it protects employees from retribution who report violations of consumer product safety. This bill also requires the first mandatory standard for toy safety, and it requires third-party testing of toys and other children's products.

What has come to the floor is a combination of different legislation. What this Senator had contributed was S. 1833, the Children's Products Safety Act, which would require third-party testing of products intended for children aged 7 and under. I am very pleased it has been included in this overall package.

There are two provisions that are critical. First, the third-party testing provision ensures that all of those toys and products undergo testing by a third party prior to entering the stream of commerce. Any that did not have the third-party testing would be banned from importation. Now, why is this necessary? Because we were letting the Chinese industry police itself, and it wasn't doing it, and the Government of China wasn't doing the inspecting. So we had the substandard and indeed unsafe toys coming to the American consuming public.

Second, this bill would set the first mandatory safety standards by adopting the ASTM—the international consumer safety specifications for toy safety. That is often referred to as standard F-963. ASTM is a nonprofit standard-setting organization. It is an independent organization that involves the CPSC—the Consumer Product Safety Commission—consumer groups, and the industry in toy standards and the development process. The standards contain 100 other toy safety specifications, including testing for shock points, flammability, toxicity, and noise.

These standards, in their development process, also provide a fast, collaborative process to address these changing conditions. So when the detachable magnet issue arose last year, the ASTM standards development team recognized the seriousness of the issue. They came up with a new magnet safety standard 9 months after the problem was first reported.

Well, under the provisions of the bill, the updates to the ASTM standard will automatically be incorporated into the Federal toy safety standard, unless for some reason the CPSC would determine that it wasn't going to improve the public safety. So as a result, the consumers are going to have the benefit of new toy safety standards immediately after the adoption of this legislation.

Taken together, these provisions will ensure that toys will be tested by a rigorous third-party testing process that is constantly updated to address new and emerging hazards to our children. Third-party testing has been endorsed by a number of consumer groups and a number of the manufacturers that realize we have a problem here. So we need to build a consensus and get this legislation passed.

Last year, over 46 million children's products were recalled—can my colleagues believe that, 46 million recalled—and almost a fifth of those were recalled after a child was seriously injured or killed. It is not enough just to recall these toys; we need to make sure they never enter the stream of commerce in the first place, and this bill provides that safety.

I wish to say there is also something in here about generators, portable generators. If you live in a coastal State such as mine and you get hit by a big hurricane—and especially gasoline stations are learning they need them because people need to be able to drive